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Application Number	09/897,383
Filing Date	July 2, 2001
First Named Inventor	Sachin Deshpande
Art Unit	2155
Examiner Name	L. Wang

Total Number of Pages in This Submission		Attorney Docket Number	SLA01068

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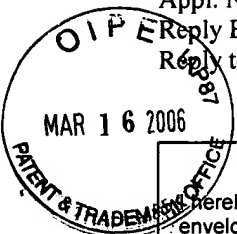| Firm	Krieger Intellectual Property, Inc.
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Date	March 13, 2005	Reg. No.	42,768

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MAR 1 6 2006

PATENT APPLICATION
Docket No. SLA1068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Sachin Deshpande	)
		)
Serial No.:	09/897,383	)
		)
Filed:	July 2, 2001	) Group Art
		) Unit: 2155
For:	METHODS AND SYSTEMS FOR SCALABLE STREAMING OF IMAGES WITH CLIENT-SIDE CONTROL	)
Examiner:	Wang, Liang Che A	)

APPELLANTS' REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

An Office Action dated April 27, 2005 rejected all claims (claims 25-41) in the present application. A Notice of Appeal was transmitted by facsimile on August 26, 2005. Appellants' Appeal Brief was filed on October 26, 2005. An Answer was mailed by the examiner on January 13, 2006. Applicant now files herewith a Reply Brief in response to the examiner's Answer.

1. REAL PARTY IN INTEREST

The real party in interest is the assignee, Sharp Laboratories of America, Inc.

2. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

3. STATUS OF CLAIMS

All claims, 25-41, stand rejected.

Claims 25-29, 33-38, and 41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Guedalia, U.S. Patent No. 6,356,283 (hereinafter, "Guedalia"). Claims 30-32 and 39-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guedalia in view of Applicant's Admitted Prior Art (hereinafter "Prior Art").

Appellants appeal the rejections of claims 25-41.

4. STATUS OF AMENDMENTS

No amendments have been filed in response to the final rejection mailed on April 27, 2005.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Independent method claims 25 and 33 and apparatus claim 41 all comprise the element of "reading an initial part of an image file at a client, said file being hosted on a server. This element is described in the specification at page 10, lines 1 & 11-16, page 11, lines 5, 10 & 20, page 12, lines 4 & 13, and other locations.

These independent claims also comprise the element of "parsing said initial part" of an image file "to identify any additional parts that may be needed to render a selection of said image file." This element is described with reference to Figure 1 and other figures. A description of this element is found on page 8, lines 22 to 23; page 9 line 21 to page 10 line 6; page 10 line 13 to page 12 line 22 and elsewhere.

These independent claims also comprise the element of "requesting said additional parts from said server when said additional parts are needed." This element is described with reference to Figure 1 and other figures. A description of this element is found on page 10, line 17 to page 14

line 16 and elsewhere.

In independent method claim 34, the customized image transmission comprises the element of "reading an image index file" associated with an image file, wherein the index file comprises a map of components of the image file. This element is illustrated in Figure 1 and other figures. A description of this element is found on page 4, lines 5 to 8 and page 8, line 18 to page 9 line 2 and elsewhere. The index file element is also described in detail in the parent application.

This claim also comprises the element of "determining, at said client using said index file data, the parts of said image file that are required to display a selected part of said image file." This element is illustrated in Figure 1 and other figures. A description of this element is found on page 4, lines 5 to 8 and page 8, line 18 to page 9 line 2 and elsewhere. The index file element is also described in detail in the parent application.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

I. Claims 25-29, 33-38, and 41 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,356,283, by Guedalia.

II. Claims 30-32 and 39-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Guedalia in view of Applicant's Admitted Prior Art.

7. ARGUMENT

Claims 25-29, 33-38, and 41 have been rejected under 35 U.S.C. § 102(e)

The examiner has rejected claims 25-29, 33-38, and 41 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,356,283, by Guedalia. This rejection is improper in that it fails to present a prima facia case of anticipation.

Claims 25, 33, 41 and claims 25-29, which are dependent on claim 25 all comprise an element or act of "parsing an initial part of an image file." This image file is a unitary file that comprises all the elements necessary to display the associated image. In an exemplary embodiment, the image file is a JPEG2000 image file. Image files are well known in the art and exist in many formats including, but not limited to, JPEG2000 image files, JPEG image files, JBIG image files, TIFF image files, BMP image files and many others. In any of these cases, the image file is considered, by one skilled-in-the-art, to comprise all the elements necessary for display of the image associated with the file.

In the Final Office Action from which this appeal stems, the examiner cited Guedalia (US Patent No. 6,356,283), (Col. 20, lines 10-14) as anticipating this element of the claims. This location in Guedalia refers to an Internet Imaging Protocol (IIP) request that is parsed in order to read the commands contained therein. The IIP request does not contain image content and is not an image file. It is simply a request to obtain parts of a distinctly separate image file. Guedalia (Col. 20, line 12) describes "access[ing] the necessary FLASH-PIX ® image tiles" after parsing the request. Clearly, the request is not part of the image file, but a separate and distinct file or data structure. Hence, this rejection did not present a prima facie case of anticipation.

In the Examiner's Answer, the examiner now cites Guedalia (Col. 19, lines 5-15) as disclosing the parsing element of these claims. Guedalia, at this location, describes a method of selecting an image sub-region with a pointing device. This part of Guedalia makes no reference to parsing an image file at all. The examiner states, in his Answer, that this citation refers to an HTML page that is analyzed/parsed by the browser to display embedded image portions. The examiner's interpretation of this section of Guedalia may be correct, however, parsing of an HTML file to display an embedded image does not equate to parsing an image file to identify any additional parts that may be needed to render a selection of said image file. Firstly, the HTML page is not an image file. It is a text format file to which image files may be appended by including a link in the HTML file that references an image file. Image files are separate and distinct from HTML files. Furthermore, parsing the HTML file does not enable a determination of the identity of additional parts that may be needed to render a selection of said image file. The

methods taught in Guedalia, no matter the element considered or the location in the document, do not teach the parsing element of the present claims at issue.

Claim 34 comprises the element of an "image index file" that is "hosted on a server along with an associated image file," and that comprises "a map of components of said image file." The examiner cites Guedalia (Col. 4, lines 4-6; Col. 24, lines 24-33) as disclosing this element. Guedalia teaches an "image map" that is a method of communicating a geographical location on an actual image. This method simply appends coordinates to the end of an HTTP request. While the term "map" is used to describe elements of both terms, these are distinctly different elements. The image map taught in Guedalia is an actual geographical map that relates a geographical location or coordinate on an image. The image index file of claim 34 indexes image display preferences to components of said image file. These components are not geographical locations in the image as it is displayed, as described in Guedalia, but locations in the data structure of the image file. Additionally, a distinct image index file is claimed in claim 34, whereas Guedalia teaches a method of conveying a user selection related to a coordinate on an image. Guedalia's method has no persistent data file, but is simply a data format for a request. Accordingly, the terms "image index file" and "components of said image file" distinguish claim 34 from the method of Guedalia.

Claims 35-40 are dependent on claim 34 and contain the same novel and non-obvious elements therein. Accordingly, claims 35-40 are believed to be patentable in their current form.

Claims 30-32 and 39-40 have been rejected under 35 U.S.C. § 103(a)
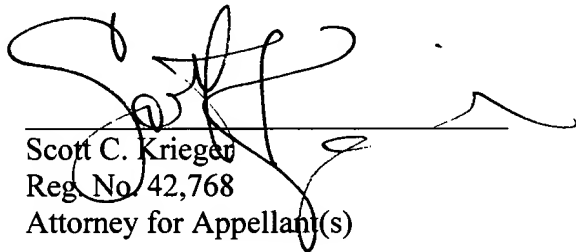
Claims 30-32 and 39-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Guedalia in view of Applicant's Admitted Prior Art. However, this rejection is improper in that it fails to present a prima facie case of obviousness.

Claims 30-32 & 39-40

In this rejection, the examiner relies on Guedalia as disclosing the elements of claim 25, on which claims 30-32 and 39-40 depend. The combination of Guedalia and Applicant's Admitted Prior Art does not disclose the element of parsing an image file as explained above in relation to claim 25. Accordingly, this rejection is improper for the reasons stated above in relation to claim 25.

Reversal of the Examiner's rejections and allowance of the pending claims is respectfully requested.

Respectfully submitted,

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Reg. No. 42,768
Attorney for Appellant(s)

Date: March 13, 2006

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CLAIMS APPENDIX

1 - 24 (cancelled).

5   25 (previously presented). A method for customized image display, said method

comprising the acts of:

           reading an initial part of an image file at a client, said file being hosted on

                a server;

           parsing said initial part to identify any additional parts that may be needed

10   to render a selection of said image file;

           requesting said additional parts from said server when said additional parts

                are needed;

           displaying said selection of said image file at said client.

15   26 (previously presented). The method of claim 25 wherein said displaying is

performed via a client image interface and further comprising allowing selection of an

image customization selection via said client image interface.

        27 (previously presented). The method of claim 26 further comprising parsing

20   supplementary image parts of said image file to determine which parts are required to

display said image customization selection and requesting said required image parts.

28 (previously presented). The method of claim 25 wherein the size of said initial

part is relative to the bandwidth of the connection between said server and said client.

29 (previously presented). The method of claim 25 wherein said initial part

5   comprises metadata comprising data selected from the group consisting of image quality

data, scalability data, resolution data and ROI data.

30 (previously presented). The method of claim 25 wherein said image file is a

JPEG 2000 image file.

10

31 (previously presented). The method of claim 25 wherein said image file

comprises packets interleaved in a progression order selected from the group consisting

of layer-resolution-component-position progressive, resolution-layer-component-position

progressive, resolution-position-component-layer progressive, position-component-

15   resolution-layer progressive and component-position-resolution-layer progressive.

32 (previously presented). The method of claim 25 wherein said initial part

comprises file header data.

33 (previously presented). A method for interactive customized image

transmission, said method comprising the acts of:

reading an initial part of an image file from a client, said file being hosted

on a server;

5   parsing said initial part to identify any additional parts that may be needed

to render a representation of said image file;

requesting said additional parts from said server when said additional parts

are needed;

displaying said representation of said image file at said client through a

10   client image interface;

receiving an image customization selection of said image via said client

image interface;

parsing supplementary image parts when said initial part and said

additional parts do not contain sufficient information to identify

15   any subsequent parts that may be needed to render said

customization of said image file; and

receiving said customization of said image at said client.

34 (previously presented). A method for customized image transmission, said method comprising the acts of:

reading an image index file from a client, said index file being hosted on a server along with an associated image file, and said index file

5   comprising a map of components of said image file;

determining, at said client using said index file data, the parts of said image file that are required to display a selected part of said image file; and

requesting transmission of said selected parts from said server to said

10   client.

35 (previously presented). The method of claim 34 further comprising displaying said selected part of said image file at said client.

15   36 (previously presented). The method of claim 35 wherein said displaying is performed via a client image interface and further comprising allowing selection of an image customization selection via said client image interface.

37 (previously presented). The method of claim 36 further comprising accessing

20   said index file to determine image parts of said image file that are required to display said image customization selection and requesting said required image parts.

38 (previously presented). The method of claim 37 further comprising displaying said image customization selection at said client.

39 (previously presented). The method of claim 25 wherein said image file is a JPEG 2000 image file.

5

40 (previously presented). The method of claim 25 wherein said image file comprises packets interleaved in a progression order selected from the group consisting of layer-resolution-component-position progressive, resolution-layer-component-position progressive, resolution-position-component-layer progressive, position-component-

10 resolution-layer progressive and component-position-resolution-layer progressive.

41 (previously presented). An apparatus for customized image retrieval, said apparatus comprising:

a reader for reading an initial part of an image file at a client, said file

15 being hosted on a server;

a parser for parsing said initial part to identify any additional parts that may be needed to render a portion of said image file; and

a requester for requesting said additional parts from said server when said additional parts are needed.